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**TERMINAL DISCLAIMER TO OBIVATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
20269/1201776-US3

In re Application of: Jay D. Kranzler et al.

Application No.: 10/623,378

Filed: July 18, 2003

For: METHODS OF TREATING FIBROMYALGIA SYNDROME, CHRONIC FATIGUE SYNDROME
AND PAIN

The owner*, Cypress Bioscience, Inc., of _____
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of
any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any
patent granted on pending **reference** Application Number 10/623,431, filed on July 18, 2003,
as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may
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hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it
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of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 52,392

Paul M. Zagar
Signature

June 16, 2005
Date

Paul M. Zagar
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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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